

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CASE NO. S1 15-CR-378 PGG**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**FREDY RENAN NAJERA MONTOYA,**

**Defendant.**

\_\_\_\_\_ /

**LOCAL RULE 1.4 AFFIDAVIT IN SUPPORT OF  
VICTOR E. ROCHA ESQUIRE'S  
MOTION TO WITHDRAW**

Comes Now, Victor E. Rocha, Esquire, attorney of record for the Defendant, FREDY RENAN NAJERA MONTOYA, and, having sworn upon his oath, deposes and states as follows:

1. That I am the attorney of record for FREDY RENAN NAJERA MONTOYA in the above entitled cause.

2. That I entered into an agreement with the Defendant to surrender the Defendant to the United States authorities for the purpose of appearing in the United States District Court for the Southern District of New York, in New York, New York in the above entitled. I was solely retained to assist the defendant in the resolution of his case. If required, counsel can address these matters with more specificity at an in-camera proceeding.

3. Plea negotiations with the government broke down in June 2018 and this matter has been placed on this court's two-week trial docket beginning on December 10, 2018, that I continue to represent his interests up to but not including trial. To date,

defendant has failed to retain counsel for the trial of this cause. Nevertheless, I have diligently attempted to preserve and defend the Defendant's interests prior to trial. The preparation for this trial and the trial itself are a tremendous undertaking which would be burdensome upon myself and my office staff. I have not been retained for such undertaking nor have I been provided with the resources necessary for trial preparation and trial.

5. It is my belief that the Defendant is either unwilling or unable to provide the resources necessary to adequately prepare this matter for trial.

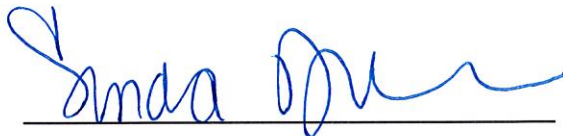
6. The undersigned is not asserting a retaining or charging lien.

**FURTHER AFFIANT SAYETH NAUGHT**



**VICTOR E. ROCHA, ESQUIRE**

SWORN AND SUBSCRIBED TO before me on this 19<sup>th</sup> day of September, 2018.



NOTARY PUBLIC, State of Florida

My Commission Expires: 6/18/22



Sandra Mogollon  
Commission # GG205335  
Expires: 6/18/2022  
Bonded thru Aaron Notary

(Affiant is Personally Known to Me: ☒  
or Produced ID (type) \_\_\_\_\_)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that this document has been filed with the Clerk of Court using the CM/ECF Filing System and mailed by U.S. Mail to Fredy Renan Najera Montoya, Register no. 76172-054, Metropolitan Correctional Center, 150 Park Row, New York, NY 10007 on this 19<sup>TH</sup> day of September 2018.

**LAW OFFICES OF VICTOR E. ROCHA, P.A.**

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By: /s/ Victor E. Rocha, Esquire

**VICTOR E. ROCHA, ESQUIRE**

**NEW YORK BAR NO.: VR9648**